

PLANNING COMMISSION
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Thursday, September 24, 2015

PRESENT: Commissioners Don Campbell, Ken Topping, and Jim Irving

ABSENT: Jim Harrison, Eric Meyer

RESOLUTION NO. 2015 -027

RESOLUTION RECOMMENDING ADOPTION
OF AMENDMENTS TO THE SAN LUIS OBISPO GENERAL PLAN, SAN LUIS BAY
INLAND SUB AREA OF THE SAN LUIS OBISPO AREA PLAN OF THE LAND USE AND
CIRCULATION ELEMENT AND TITLE 22 – THE LAND USE ORDINANCE (SAN LUIS
BAY INLAND SUB AREA NORTH OF THE SAN LUIS OBISPO AREA PLAN)

WHEREAS, State Law requires that a General Plan be adopted; and

WHEREAS, Land Use and Circulation Element of the San Luis Obispo General Plan
was adopted by the Board of Supervisors on September 22, 1980, and is a proper element of
the General Plan; and

WHEREAS, public necessity, convenience and general welfare requires that the
elements of a General Plan be amended from time to time; and

WHEREAS, the Planning Commission of the County of San Luis Obispo held a
public hearing on September 24, 2015, to consider the San Luis Obispo County General Plan
amendment; and

WHEREAS, the Planning Commission, at the conclusion of the public hearing,
recommended approval to the Board of Supervisors of the amendments to the San Luis
Obispo County General Plan, San Luis Bay Inland Sub Area of the San Luis Obispo Area
Plan of the Land Use And Circulation Element and Title 22 – The Land Use Ordinance
(San Luis Bay Inland Sub Area North of the San Luis Obispo Area Plan);

NOW, THEREFORE, BE IT RESOLVED that the San Luis Obispo County
Planning Commission recommends to the Board of Supervisors of the County of San Luis

Obispo, State of California, that the Amendments to the San Luis Obispo County General Plan, San Luis Bay Inland Sub Area of the San Luis Obispo Area Plan of the Land Use And Circulation Element and Title 22 – The Land Use Ordinance (San Luis Bay Inland Sub Area North of the San Luis Obispo Area Plan) be adopted as follows:

1. Adopt the Amendments to the San Luis Obispo County General Plan, San Luis Bay Inland Sub Area of the San Luis Obispo Area Plan of the Land Use And Circulation Element and Title 22 – The Land Use Ordinance (San Luis Bay Inland Sub Area North of the San Luis Obispo Area Plan) and the exhibits listed below, and which is expressly referred to and incorporated herein as though fully set forth.

- a. Exhibit LRP2013-00016:A - Findings,
- b. Exhibit LRP2013-00016:B - Proposed Land Use Category Map Changes, and
- c. Exhibit LRP2013-00016:C - Proposed Land Use Ordinance Changes.

On motion of Commissioner Campbell, seconded by Commissioner Irving, and on the following roll call vote, to wit:

AYES: Commissioners Topping, Campbell, and Irving

NOES: None

ABSENT: Commissioners Harrison and Meyer

the foregoing resolution is hereby adopted.

/s/ Ken Topping
Chairperson of the Planning Commission

ATTEST:

/s/ Ramona Hedges
Secretary, Planning Commission

EXHIBIT A
LRP2013-00016:A

FINDINGS FOR COUNTY OF SAN LUIS OBISPO
GENERAL PLAN AMENDMENT LRP2013-00016 (MAZZONE)

CEQA Exemption

- A. The project qualifies for a General Rule Exemption pursuant to CEQA Guidelines Section 15061 (b)(3) because the project consists of changing the land use category of an existing 16.74 acre parcel zoned Agriculture to Residential Rural. A Planning Area Standard is also proposed which will limit any future subdivision to two parcels and will prohibit secondary residences, thus not allowing the construction of additional residences. The prohibition of secondary dwellings will ensure that development will remain at a low density and that the rural quality of the area is maintained. While the project site is presently designated Agriculture, its size, soil type, and water availability are not sufficient for intensive agricultural production. As a result, no substantial impacts are anticipated to occur and it can be seen with certainty that there is no possibility that the project may have a significant effect on the environment.

Land Use Ordinance/Land Use Element

- B. The proposed amendment is consistent with the Land Use Element and other adopted elements of the general plan because all proposed uses, as limited by the planning area standards, are allowed under Table 2-2 for the Residential Rural land use category.
- C. The proposed amendment is consistent with the Land Use Element and other adopted elements of the general plan because the change is consistent with the general goals of the Land Use Element.
- D. The proposed amendment is consistent with the guidelines for amendments to the Land Use Element as follows:
- The proposal will not alter the rural character of the area.
 - The proposal is be compatible with the surrounding rural and agricultural uses.
- E. The proposed amendment will protect the public health, safety and welfare of the area residents by allowing for development that is compatible with the existing development of the surrounding area and the county's general plan.

EXHIBIT B
LRP2013-00016:B

PROPOSED LAND USE CATEGORY MAP CHANGE LRP2013-00016 (MAZZONE)

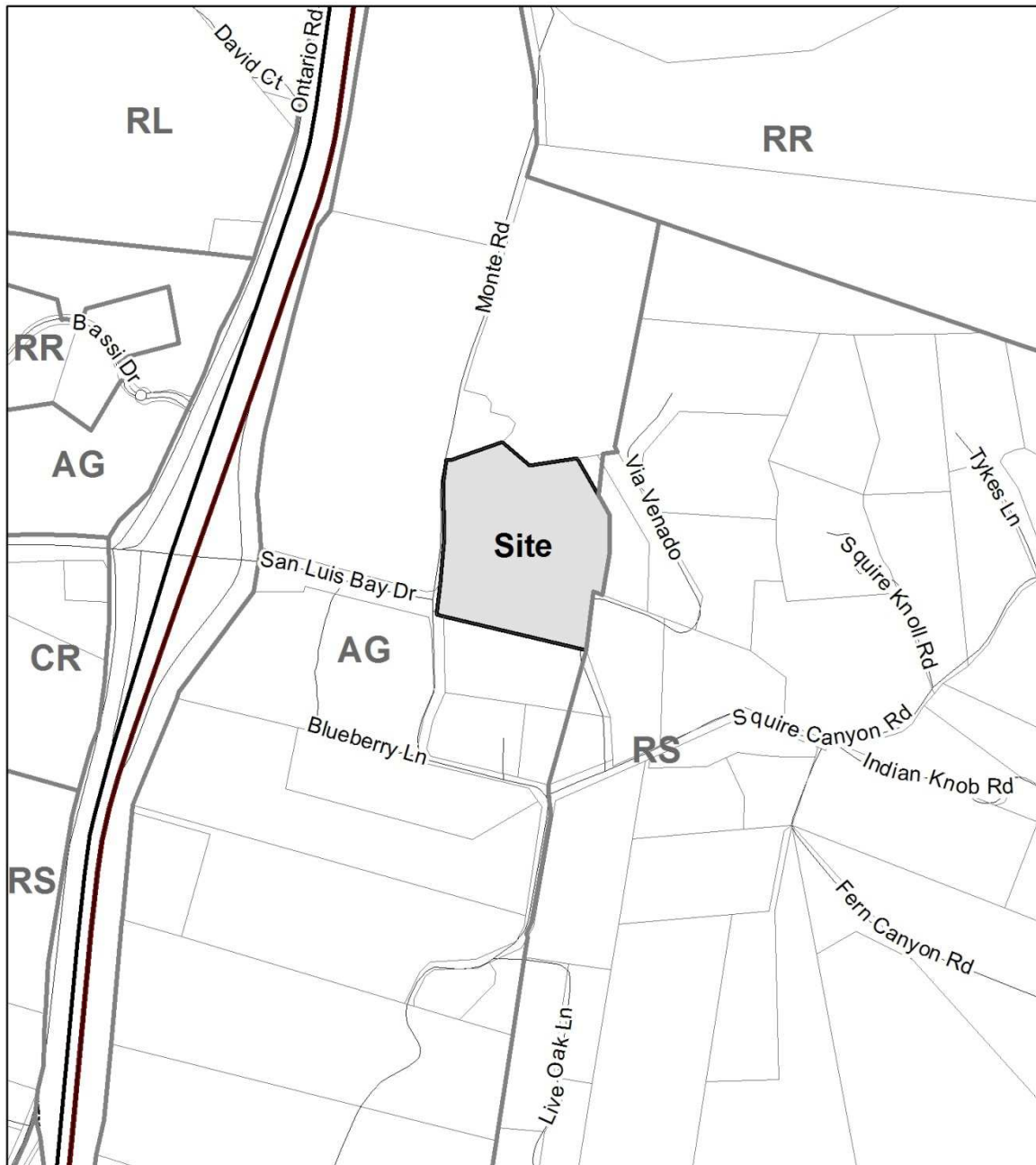


EXHIBIT: LRP2013-00016

SITE: APN 076-251-044

INITIATING A PRECISE LAND USE DESIGNATION AS
SHOWN ON OFFICIAL LAND USE CATEGORY MAP
ON FILE IN THE DEPT. OF PLANNING AND BUILDING.

CHANGE FROM AG TO RR

**MAZZONE
GENERAL PLAN
AMENDMENT**

Attachment 1-A - Planning Commission Resolution

- (5) **Exterior colors.** Residences shall use dark, muted, earth-toned colors for all exteriors, including roofing. Colors must have a value and chroma of less than 6 on the Munsell scale. Applicants shall submit a colors and materials board with any application for construction or land use permits.
- (6) **Height.** Residential and residential accessory structures shall be limited to a maximum height of 25 feet above average natural grade.
- (7) **Roofing.** Building architecture shall include hip roofs with a minimum pitch of 3:12.
- (8) **Overhangs.** Building architecture shall include deep overhangs for any elevation visible from Highway 101.
- (9) **Lighting.** All exterior lighting fixtures visible from Highway 101 shall be dark sky certified or equivalent.
- (10) **Erosion control.** An erosion and sedimentation control plan shall be prepared prior to any proposed site work. The erosion and sedimentation control plan shall comply with the required contents and standards in Chapter 22.52 of the Land Use Ordinance.
- (11) **Drainage plan.** Land use permit, subdivision, construction, and grading permit applications shall include a drainage plan in compliance with Chapter 22.52 of the Land Use Ordinance. All future construction shall be in conformance with the San Luis Obispo Creek Watershed Drainage and Design Manual.
- (12) **Habitat assessment.** Prior to any site disturbance, a qualified biologist shall conduct a habitat assessment of the watercourses on the project site, in accordance with County and Department of Fish and Game protocol, to determine if California red-legged frog (CRLF) or southwestern pond turtle (SWPT) exist on the site. If these species do not exist on the site, no further study needs to be undertaken. BR-7. If CRLF and/or SWPT exist(s) on site, the applicant and the project biologist shall consult with the California Department of Fish and Game (CDFG) and/or the US Fish and Wildlife (USFWS), as applicable, prior to site disturbance to determine appropriate measures to be undertaken in order to ensure significant impacts will not occur. At a minimum, the following measures shall occur:
 - (a) The project biologist shall demonstrate that they are qualified to conduct the appropriate biological work to the satisfaction of the Department of Fish and Game and/or the US Fish and Wildlife Service (as applicable).
 - (b) The approved biologist shall conduct a training session for all construction personnel prior to commencement of site disturbance. At a minimum, the training shall include a description of the CRLF and/or SWPT and their habitat, the specific measures that are being implemented to conserve the CRLF and/or SWPT for the current project, and the boundaries where site disturbance may occur.
 - (c) The project biologist shall have the authority to stop work or redirect work to occur in areas that will not disturb the

individual(s), or to relocate the individual(s) pursuant to USFWS / CDFG guidelines.

- (d) The approved biologist shall be present at the work site until all CRLF / SWPT have been removed, workers have been instructed, and disturbance of habitat has been completed.
 - (e) During construction/ground disturbing activities, all trash that may attract CRLF and/or SWPT predators will be properly contained, removed from the work site, and disposed of regularly. Prior to occupancy or final inspection, whichever occurs first, all trash and construction debris will be removed from work areas.
 - (f) During construction/ground disturbing activities, all refueling, maintenance, and staging of equipment and vehicles shall occur at least 100 feet from riparian habitat or water bodies and in a location where a spill would could not drain directly toward aquatic habitat.
- (13) **Permits.** Prior to site disturbance, the applicant shall demonstrate to the County that they have obtained any and all necessary permits from the California Department of Fish and Game and the US Fish and Wildlife Service, or demonstrate that such permits are not necessary.

b. **Use restriction – Area B.** All land uses identified by Section 22.06.030 as allowable, permitted, or conditional uses in the RR land use category may be authorized in compliance with the land use permit requirements of that section, except that such uses in Area B (Figure 106-7) shall be limited to: crop production and grazing, and pipelines and transmission lines.

c. **New land divisions.**

- (1) The minimum parcel size shall be 40 acres.
- (2) Subdivision of Area A (Figure 106-7) shall require the granting of an open space easement covering at least 85 percent of the site. The open space easement agreement shall include the following restrictions:
 - (a) Prohibition on grazing and/or crop production within the open space easement area.
 - (b) Prohibition on planting of ornamental vegetation within the open space easement area.
 - (c) Requirement that development of new water sources and systems within the open space easement area be done in such a manner as to avoid any impact to or removal of oaks and/or manzanitas.
- (3) Building envelopes for subdivision of Area A (Figure 106-7) shall be established in an area with average slopes of less than 30 percent.
- (4) Subdivision of Area A (Figure 106-7) shall comply with the mitigation agreement recorded as Instrument 1997-071413 of Official Records, and any subsequent mitigation agreements that supersede or amend this agreement. The applicant shall enter into a mitigation agreement with the

Attachment 1-A - Planning Commission Resolution

County of San Luis Obispo, reaffirming the measures identified in Instrument 1997-071413. The new mitigation agreement shall also incorporate all applicable planning area standards identified in Subsections D.5.a and D.5.c.

10. **Monte Road – South.** The following standards apply to the site as shown in Figure 96.15.5 as Monte Road.

- a. **Parcel Size.** The minimum parcel size for new land division in Monte Road South shall be 5 acres. No more than two parcels shall be allowed in any subsequent subdivision on the 16.74 acre parcel.
- b. **Density limitation.** Residential density in Monte Road South area shall be limited to a maximum of one primary single family residence for each 5 acre parcel. No secondary residences shall be allowed.

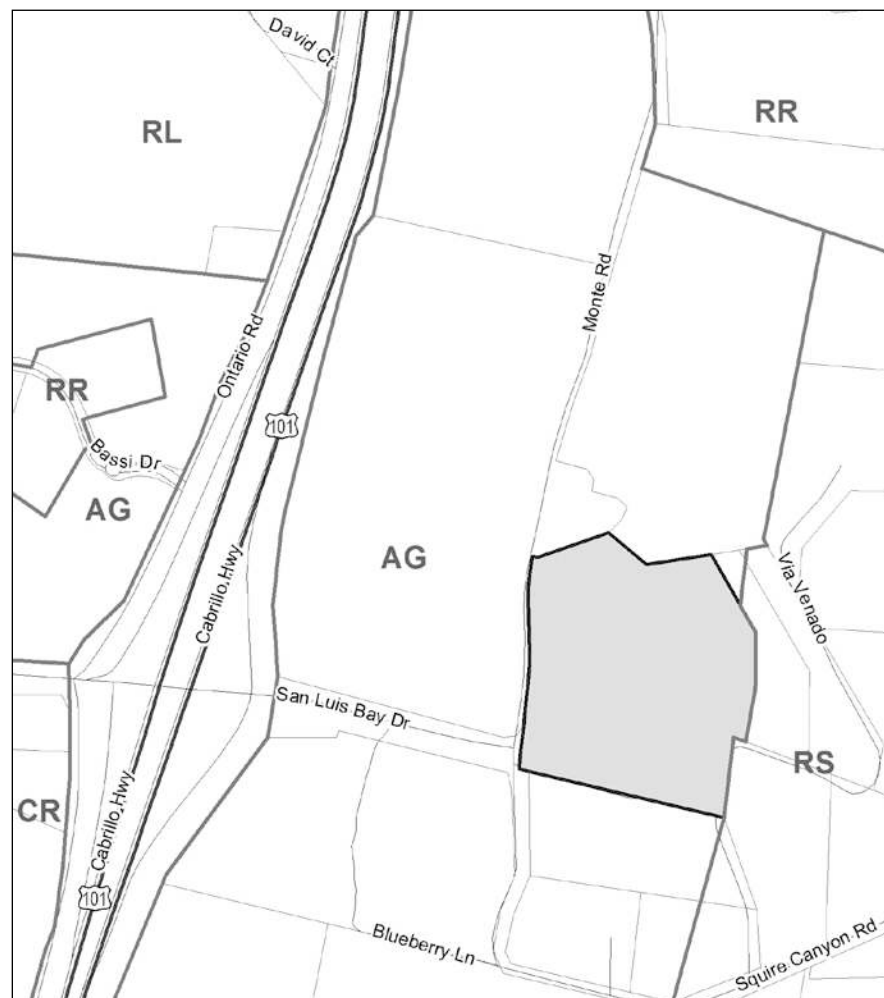


Figure 96-15.5: Monte Road South